

Amendment No. 1 to HB1527

Lundberg  
Signature of Sponsor

**AMEND Senate Bill No. 1692**

**House Bill No. 1527\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 29-27-114(a), is amended by deleting the subsection and substituting instead the following:

(1) Upon the filing of a suit for partition of property, real or personal, the parties shall submit the names of three (3) commissioners selected and agreed upon by the parties. If the parties are unable to agree, the judge shall appoint three (3) commissioners, known by the court or shown to the court to be of good personal character and integrity and knowledgeable in the type of property to be partitioned.

(2) The commissioners shall make recommendations to partition the asset appropriately among the ownership interests of the parties, if such partition can be fairly accomplished.

(3) Upon submission of the commissioners' recommendations for partition, the court may adopt the recommendations in whole, or in part, or reject entirely.

(4)

(A) If the commissioners are unable to unanimously agree on a fair partition, the property shall be sold by auction or by other means if auction is inappropriate, and the proceeds divided proportionally among all parties, after the payment of the cost of the sale and cost of the suit to partition, excluding attorneys' fees.

(B) The parties shall submit to the court the name of an appropriate person or entity that the parties agree is competent to conduct the sale. If the

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parties cannot agree on an appropriate person or entity to conduct the sale, the  
court shall have the discretion to select an entity to conduct the sale.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring  
it.